# T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			23-Jul-07	APPL. S. N:	10766889					
To Examiner:			DINH, TAN X.	Art Unit	2653					
From			Logan, Rugenia PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68					
SUBJEC	<b>T:</b> Decision	on on Ter	minal Disclaimer(T.D.) filed:							
form par or have	agraphs i any quest	dentified ions, plea	by this informal memo in your rase see me or the Special Progra	the results as set forth below. If yonext Office action to notify applicant me Examiner. THIS IS AN INFORM DOF RECORD IN THE APPLICATIO	t of the T.D. If you disagree AL, INTERNAL MEMO ONLY.					
please ir	itial, date	and retu	urn this memo to me. THANK YO	U.						
$\overline{\mathbf{Z}}$	The T.D.	is PROP	ER and has been recorded (see 1	14.23).						
	The T.D.	is NOT P	ROPER and has not been accept	ed for the reason(s) checked below	v (see 14.24):					
		The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account								
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).								
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
			is not an attorney "of record" (	see 14.29 and 14.29.01).						
			has failed to state his/her capa	city to sign for the business entity	(see 14.28).					
			is not recognized as an officer	of the assignee (see 14.29 & possi	ble 14.29.02).					
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
		The T.D. is not signed (see 14.26 & 14.26.03).								
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
			al number of this application (or ed is missing or incorrect (see 1	the number of the patent in reexa 4.26, 14.27.02 or 14.26.05).	m or reissue cases being					
		The peri	od disclaimed is incorrect or not	specified (see 14.26, 14.27.02 or	14.26.03).					
		Other:								
			ion to request refund (see 14.36 not check this item.	i). NOTE: If already authorized, cre	edit refund to deposit account					
I have a	ppropriate	ely notifie	d applicant(s) of the status of th	ne Terminal Disclaimer filed in this	case.					
Ex.Initia	is:		_ Date:		Log Date:					

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination  LEE, KYUNG-GEUN						
Document Code - DISQ		Internal Document – DO NOT MAIL		NOT MAIL					
TERMINAL DISCLAIMER	'⊠ APPROV	'APPROVED		☐ DISAPPROVED					
Date Filed : June 12, 2007	This patent is subject to a Terminal Disclaimer								
Approved/Disapproved by:									
Henry D. Jefferson									

U.S. Patent and Trademark Office

Docket No.: 1793.1171

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kyung-geun LEE

Application No. 10/766,889

Group Art Unit: 2627

Confirmation No. 4187

Filed: January 30, 2004

Examiner: Tan X. Dinh

For: OPTICAL INFORMATION STORAGE MEDIUM HAVING A TRANSITION AREA

(AS AMENDED)

# TERMINAL DISCLAIMER (37 C.F.R. 1.321(c))

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

# INTEREST AND TITLE OF PERSON MAKING THIS **TERMINAL DISCLAIMER**

Petitioner, Seth S. Kim, represents that I am an attorney of record of the Assignee identified below owning the entire interest in the above-identified application and am authorized to sign on behalf of the Assignee.

### **IDENTITY OF ASSIGNEE**

The Assignee is Samsung Electronics, Co., Ltd., a corporation organized and existing under the laws of the Republic of Korea, having an office and principal place of business at Suwon-si, Republic of Korea.

#### **RECORDAL OF ASSIGNMENT IN USPTO**

The Assignment of the above-identified application was recorded in the U.S. Patent and Trademark Office on Reel 014944, Frame 0074.

# COMMON OWNERSHIP OF U.S. PATENT APPLICATION NOS. 10/766,958 AND 11/527,685

Pursuant to Rule 3.73(b), the Assignee is the current owner of the subject application pursuant to the Assignment identified below. Assignee further confirms that it remains the owner of U.S. Patent Application Nos. 10/766,958 and 11/527,685.

# **CERTIFICATION OF TITLE**

The evidentiary documents have been reviewed and the undersigned certifies that, to the best of said Assignee's knowledge and belief, title of the above-identified application and U.S. Patent Application Nos. 10/766,958 and 11/527,685 are in the said Assignee.

#### **TERMINAL DISCLAIMER**

Assignee hereby disclaims the terminal part of the statutory term of any patent, granted on the above-identified application, which would extend beyond the expiration date of any patent granted on U.S. Patent Application Nos. 10/766,958 and 11/527,685 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Patent Application Nos. 10/766,958 and 11/527,685. This agreement runs with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent granted for U.S. Patent Application Nos. 10/766,958 and 11/527,685 in the event that any patent granted on U.S. Patent Application Nos. 10/766,958 and 11/527,685 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a reexamination certificate, is relssued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned hereby declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

#### **FEE**

The requisite disclaimer fee under 37 C.F.R. §1.20(d) of \$130.00 is attached hereto.

Date: 6/12/2007

Seth S. Kim

Registration No: 54,577